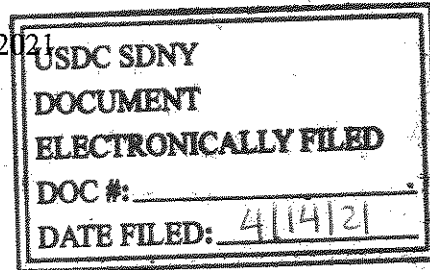


U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

April 13, 2021



VIA ECF

The Honorable Colleen McMahon
United States Chief District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: 1976 J.J. Deli Grocery Corp. v. Food and Nutrition Service, 20 Civ. 10203 (CM)

Dear Judge McMahon:

This Office represents Defendant Food and Nutrition Service (the "Government") in the above-referenced action, in which Plaintiff seeks review of a Final Agency Decision permanently disqualifying Plaintiff from participating in the Supplemental Nutrition Assistance Program ("SNAP"). ECF No. 1. The parties are currently required to file a civil case management plan by April 15, 2021. *See* ECF No. 4. In addition, the initial conference in this matter is currently scheduled for April 30, 2021 at 11:15 a.m. *Id.* I write on behalf of both parties to respectfully request an extension of time of 60 days—from April 15, 2021 to June 14, 2021—to file a civil case management plan, and to request a 60-day adjournment—from April 30, 2021 to June 29, 2021 (or a later date that is more convenient for the Court) of the initial pretrial conference. This is the parties' first request for an extension of time and adjournment.

The parties respectfully request the extension and adjournment because this Office has yet to be served as required by Federal Rule of Civil Procedure 4(i).¹ As a result, the Government's response to the complaint will be due 60 days from service. *See* Fed. R. Civ. P. 12(a)(2). The parties believe that the requested extension and adjournment will lead to a more productive initial pretrial conference and beneficial use of the Court's time and resources.

Accordingly, we respectfully request that the Court extend the parties' deadline to file a civil case management plan to June 14, 2021, and to adjourn the initial pretrial conference to a date on or after June 29, 2021.

We thank the Court for its consideration of this request.

Respectfully,

AUDREY STRAUSS
United States Attorney

¹ Given the COVID-19 pandemic and in good faith, this Office has agreed to accept e-mail service from Plaintiff's counsel of the complaint and the summons once it is issued.

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Counsel for Plaintiff